



SA(MD). No.194 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P.B.BALAJI

SA(MD). No.194 of 2022
and
CMP(MD)No.2289 of 2022

1. Pandi @ Appayasamy,
2. Perumal Samy,
3. Manikandan, ... Appellants

Vs

D.Jakkammal,
W/o.Devar Lingusamy,
Chathirapatti ,
Veerapandy Post,
Theni District.. ... Respondent

PRAYER in SA: This Appeal is filed under Section 100 CPC. to set aside the judgment and decree passed in A.S.No.25 of 2014 on the file of the Sub Court,Theni dated 23-11-2021 confirming the judgment and decree passed in O.S.No.83 of 2012 on the file of the District Munsif Court,Theni dated 21-02-2014 and thus allow the appeal with costs and thus render justice.

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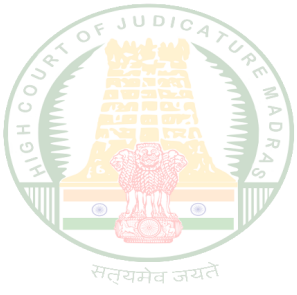
Prayer in CMP: To stay the operation of the judgment and decree passed in A.S.No.25 of 2014 on the file of the Sub Court,Theni dated 23-11-2021 confirming the judgment and decree passed in O.S.No.83 of 2012 on the file of the District Munsif Court, Theni dated 21-02-2014 pending disposal of the appeal.

For Appellant : M/s. S.A.Ajmal Khan,
Advocate.
For Respondent : Mr.S.Sivathilakar,

ORDER

The learned counsel for the appellants submits that execution of delivery has been ordered in E.P. No. 13 of 2022 and seeks interim protection.

2. The learned counsel for the respondent, however, states that although delivery has been ordered, no steps have been taken. The counsel for the respondent is ready to argue the Second Appeal. The representation of the counsel for respondent is recorded.



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3. Post the matter on 10.04.2026. Registry is directed to call for the records from the Court concerned.

4. Before I signed the order, the learned counsel for the appellants mentioned in the post-lunch session that, though the learned counsel for the respondent had brought to my notice that steps have not been taken before the executing Court, in fact, the decree holder had already taken steps and paid batta.

5. In view of the above, there shall be an order of interim stay until 10.04.2026.

01.04.2026

trp

To:

1.The District Munsif Court, Theni

2.The Sub Court,Theni

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P.B.BALAJI,J

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ORDER
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